

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KEITH HOWARD, et al.,

Plaintiffs,

v.

POST FOODS, LLC,

Defendant.

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Case No. 1:19-cv-570

Hon. Hala Y. Jarbou

**ORDER**

The Court having held a motion hearing on the record, with all parties present, on February 10, 2022, and based upon the parties' Consent Motion for Leave to File Second Amended Complaint (ECF No. 69),

**IT IS ORDERED** that the parties' consent motion (ECF No. 69) is **GRANTED**. The Clerk of the Court is directed to accept the Second Amended Complaint attached to the Parties Consent Motion as Exhibit A (ECF No. 69-1) for filing.

**IT IS FURTHER ORDERED** that the parties are granted until April 12, 2022, sixty (60) days from the date of this order, to conduct discovery relating to Plaintiffs' COVID-19 screening time claims under the FLSA. The Parties shall not be required to file their response to the other's Motion for Summary Judgement (ECF Nos. 62, 64) until April 26, 2022, 14 days after this additional limited discovery period closes.

**IT IS FURTHER ORDERED** that Defendant Post Foods, Inc. may file a cross motion for Summary Judgment addressing the COVID-19 claims within the same 14-days after the close of the additional discovery period. The cross motion shall be limited to 5,400 words as calculated under W.D. Mich. LCivR 7.2. Plaintiff may respond to any cross motion within 14-days after it

has been filed, by May 10, 2022, and the response shall be limited to 5,400 words as calculated under W.D. Mich. LCivR 7.2. Defendant may file a reply within 14-days thereafter, by May 24, 2022, limited to 2,150 words.

Dated: February 11, 2022

/s/ Hala Y. Jarbou  
HALA Y. JARBOU  
UNITED STATES DISTRICT JUDGE